

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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|--------------------------|--------------------------------------|
| UNILOC USA, INC., and | § |
| UNILOC LUXEMBOURG, S.A., | § |
| Plaintiffs, | § Civil Action No. 2:16-cv-00741-RWS |
| v. | § LEAD CASE |
| ADP, LLC., | § |
| Defendant. | § |
| | § |

UNOPPOSED MOTION FOR VACATUR AND DISMISSAL

WHEREAS Defendant ADP, LLC (“ADP”) has obtained a nonexclusive license and release from IBM to practice all patents-in-suit (D.I. 310 at 2); and

WHEREAS that license has removed any case or controversy between ADP and plaintiffs Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (“Uniloc”) regarding infringement of those patents, *Uniloc USA, Inc. v. ADP, LLC*, 18-1132, D.I. 49 at 4–5 (Fed. Cir. Aug. 2, 2018); and

WHEREAS on May 24, 2019, the Federal Circuit issued an order (D.I. 317) holding that vacatur should have been granted as to ADP and instructing *inter alia* that the Court’s September 28, 2017 decision (D.I. 267) be vacated as to ADP; and

WHEREAS on August 5, 2019, the Court ordered all parties to the captioned action to attend an August 22, 2019 status conference (D.I. 322); and

WHEREAS ADP seeks to be relieved of further obligations in this litigation; and

WHEREAS Uniloc does not oppose this motion;

THEREFORE, ADP respectfully moves the Court to VACATE its September 28, 2017 decision as to ADP pursuant to the Federal Circuit’s May 24, 2019 Order (D.I. 317) and to DISMISS

all claims against ADP, thereby relieving ADP of any obligations under the Court's August 5, 2019 Order (D.I. 322), including attendance at the August 22, 2019 status conference.

August 21, 2019

Respectfully submitted,

/s/ Matthew J. Moffa

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**ATTORNEYS FOR DEFENDANT
ADP, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2019, a true and correct copy of the foregoing document was served upon all counsel of record via the Court's CM/ECF system in accordance with this Court's Local Rules.

Matthew J. Moffa

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